

07-30-01

A

## FISH &amp; RICHARDSON P.C.

4350 La Jolla Village Drive  
Suite 500  
San Diego, California  
92122

Telephone  
858 678-5070

Facsimile  
858 678-5099

Web Site  
www.fr.com

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

July 27, 2001

Attorney Docket No.: 08173-048001

**Box Patent Application**  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new patent application claiming priority from a provisional patent application of:

Applicant: WARREN DALZIEL

Title: CONTACT OPTICAL HEAD FOR DATA STORAGE

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	Pages
Specification	27
Claims	8
Abstract	1
Declaration	[To be Filed at a Later Date]
Drawing(s)	11 Sheets of Informal Drawings

Enclosures:  
— Postcard.

Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional application 60/221,591, filed July 27, 2000.

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL584807716US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit July 27, 2001

Signature

Michael E. Augustine, Sr.  
Typed or Printed Name of Person Signing Certificate

jc962 U.S. PTO  
07/27/01

FR

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

jc973 U.S. PTO  
09/17/250  
07/27/01

FISH & RICHARDSON P.C.

Commissioner for Patents

July 27, 2001

Page 2

Basic filing fee	\$0
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$40	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$0

Under 37 CFR §1.53(f), no filing fee is being paid at this time.

This application is entitled to small entity status.

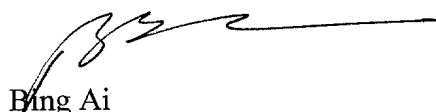
If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

SCOTT C. HARRIS  
PTO Customer No. 20985  
Fish & Richardson P.C.  
4350 La Jolla Village Drive, Suite 500  
San Diego, CA 92122

Respectfully submitted,



Bing Ai  
Reg. No. 43,312  
Enclosures  
BXA/nzg  
10125136.doc

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Warren Dalziel

Title CONTACT OPTICAL HEAD FOR DATA  
STORAGE

Atty Docket Number 08173-048001

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7-27-01  
Date

  
Signature

Bing Ai

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.